

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ERIC ROGERS,

Plaintiff,

-against-

FRENCHY COFFEE NYC LLC and 129-31  
EAST 102 STREET HOUSING  
DEVELOPMENT FUND CORPORATION,

Defendants.  
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<b>USDC SDNY</b> <b>DOCUMENT</b> <b>ELECTRONICALLY FILED</b> DOC #: _____ DATE FILED: 7/21/2021
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19-CV-9958 (VSB)


**ORDER**

VERNON S. BRODERICK, United States District Judge:

Plaintiff filed this action on October 28, 2019, (Doc. 1), and filed affidavits showing that service was effected on Defendants on November 20, 2019, (Docs. 5 & 6). The deadline for Defendants to respond to Plaintiff's complaint was December 11, 2019. (*See id.*) To date, Defendants have not appeared or responded to the complaint. Plaintiff, however, has taken no action to prosecute this case. Accordingly, if Plaintiff intends to seek a default judgment, he is directed to do so in accordance with Rule 4(H) of my Individual Rules and Practices in Civil Cases by no later than August 3, 2021. If Plaintiff fails to do so or otherwise demonstrates that he does not intend to prosecute this litigation, I may dismiss this case for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

SO ORDERED.

Dated: July 21, 2021  
New York, New York

  
VERNON S. BRODERICK  
United States District Judge